

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PATRICIA A. FENTON, Executrix of
The Estate of WILLIAM IRVING,

Plaintiff,

V.

C.A. No. 05-CV-10054 EFH

7-ELEVEN EMPLOYEES' TRUST, METRO
MART, INC., 7-ELEVEN, INC., AND THE
SOUTHLAND CORPORATION,

Defendants.

STIPULATION OF DISMISSAL

The parties to the above-entitled action, pursuant to the provisions of Fed. R. Civ. P. Rule 41(a)(1)(ii), hereby stipulate that said action be dismissed, without prejudice.

The Plaintiff,
PATRICIA A. FENTON, Executrix of the
Estate of WILLIAM IRVING,
By her attorneys,

/s/ Carmen L. Durso

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The Defendants,
7-ELEVEN EMPLOYEES' TRUST, METRO
MART, INC., 7-ELEVEN, INC., AND THE
SOUTHLAND CORPORATION,
By their attorneys,

/s/ Michael P. Giunta

Michael P. Giunta, BBO No. 543768
Janet B. Pezzulich, BBO No. 642442
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CERTIFICATE OF SERVICE

I hereby certify that this Stipulation of Dismissal filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent to those indicated as non-registered participants on this 20th day of October, 2006.

/s/ Michael P. Giunta

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